

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GARY KOSSEFF, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

vs.

MERRILL LYNCH & CO., INC., MERRILL
LYNCH CAPITAL TRUST I, MERRILL
LYNCH CAPITAL TRUST II, MERRILL
LYNCH CAPITAL TRUST III, E. STANLEY
O'NEAL, AHMASS L. FAKAHANY,
GREGORY J. FLEMING, JEFFREY N.
EDWARDS, LAURENCE A. TOSI, CAROL T.
CHRIST, ARMANDO M. CODINA, VIRGIS
W. COLBERT, JILL K. CONWAY, ALBERTO
CRIBIORE, JOHN D. FINNEGAN, JUDITH
MAYHEW JONAS, DAVID K.
NEWBIGGING, AULANA . PETERS,
JOSEPH W. PRUEHER, ANN N. REESE,
CHARLES O. ROSSOTTI, MERRILL
LYNCH, PIERCE, FENNER & SMITH
INCORPORATED, CITIGROUP GLOBAL
MARKETS INC., MORGAN STANLEY &
CO. INCORPORATED, UBS SECURITIES
LLC, WACHOVIA CAPITAL MARKETS,
LLC, and DELOITTE & TOUCH LLP,

Defendants.

CIVIL ACTION NO. 07-10984

"ECF CASE"

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)

)ss:

COUNTY OF NEW YORK)

Matthew C. McManus, being duly sworn, deposes and says:

1. I am not a party in this action, am over 18 years of age and am employed

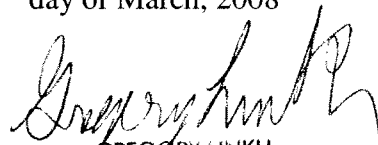
by Murray, Frank & Sailer, LLP., 275 Madison Avenue, New York, NY 10016.

2. On the 29th day of February, 2008, I Personally served a true copy of the Summons and Complaint upon Aixa Flores, who accepted service for defendants, MERRILL LYNCH & CO., INC., MERRILL LYNCH CAPITAL TRUST I, MERRILL LYNCH CAPITAL TRUST II, MERRILL LYNCH CAPITAL TRUST III, E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, JEFFREY N. EDWARDS, LAURENCE A. TOSI, CAROL T. CHRIST, ARMANDO M. CODINA, VIRGIS W. COLBERT, JILL K. CONWAY, ALBERTO CRIBIORE, JOHN D. FINNEGAN, JUDITH MAYHEW JONAS, DAVID K. NEWBIGGING, AULANA . PETERS, JOSEPH W. PRUEHER, ANN N. REESE, CHARLES O. ROSSOTTI, MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED and MORGAN STANLEY & CO. INCORPORATED and is an employee at CT Corporation System; 111 8th Avenue, New York, NY 10011.



Matthew C. McManus

Sworn to before me the
3rd day of March, 2008



GREGORY LINKH
Notary Public, State of New York
No. 02LI6135245
Qualified in Kings County
Commission Expires Oct. 17, 2009